

A U S T I N C I T Y C O U N C I L

## AGENDA



Thursday, May 18, 2006

Item # P14

Back

**Zone Hearings/App Ordinances/Restrictive Covenants  
RECOMMENDATION FOR COUNCIL ACTION**

**Subject:** C814-99-0001.05 - Avery Ranch PUD Amendment #5 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Avery Ranch Boulevard at Parmer Lane, 10500 Avery Club Drive (Brushy Creek Watershed) from Interim-rural residence (I-RR) district zoning and planned unit development (PUD) district zoning to planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning. Applicant: The Reserve at Avery Ranch, Ltd. (Robert D. Wunsch). Agent: Waterstone Development (Theresa Canchola). City Staff: Sherri Sirwaitis, 974-3057.

**Additional Backup Material**

(click to open)

No Attachments Available

**For More Information: Sherri Sirwaitis, 974-3057.**

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C814-99-0001.05

**Z.A.P. DATE:** March 21, 2006  
April 4, 2006

**ADDRESS:** Avery Ranch Boulevard at Parmer Lane, 10500 Avery Club Drive

**OWNER/APPLICANT:** The Reserve at Avery Ranch, Ltd. (Robert D. Wunsch, President)

**AGENT:** Waterstone Development (Theresa Canchola)

**ZONING FROM:** I-RR, PUD

**TO:** PUD

**AREA:** Tract II-E: 14.76 acres

Tract III-G: add 8.19 acres

Tract III-H: add 6.50 acres

Total = additional 14.69 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to approve the proposed amendment to rezone 14.694 acres of land from I-RR to PUD to be incorporated into Tracts III-G and III-H of the Avery Ranch Planned Unit Development (PUD). In addition, the staff recommends the applicant's request to amend the Avery Ranch PUD Land Use Table to permit Village Center Residential (VCR) uses, Service Station use, Liquor Sales use (not to exceed 6,000 square feet and prohibiting Cocktail Lounge), and Mobile Home Residential use on Tract II-E of the PUD.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

3/21/06: Postponed by the staff to April 4, 2006 (8-0, J. Martinez-absent); J. Pinnelli-1<sup>st</sup>, M. Hawthorne-2<sup>nd</sup>.

4/04/06: Approved staff's recommendation for PUD amendment by consent (7-0, T. Rabago, J. Pinnelli-absent); J. Martinez-1<sup>st</sup>, J. Gohil-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The applicant is requesting to amend the Avery Ranch Planned Unit Development (PUD) to allow for the following (Please see Amendment Request Letters - Attachment A, Redlined PUD Land Use Plan - Attachment B):

- 1) To add approximately 14.694 acres of land into the PUD. When the PUD was originally approved by the City of Austin in 1999, this property was located in the City of Cedar Park. The 14.694 acre tract of land was de-annexed by the City of Cedar Park in July 2001 and then annexed into the City of Austin full purpose jurisdiction in May of 2002. The site is currently developed with a golf course and single-family residential lots. The applicant is now asking to incorporate the 14.694 acres of land into the Avery Ranch PUD as it was intended when the City of Cedar Park released this property from their jurisdiction in 2001.
- 2) To amend the Tract II-E of the PUD to allow Village Center Residential (VCR) uses.
- 3) To permit Service Station and Liquor Sales (not to exceed 6,000 square feet and prohibit cocktail lounges/bars) uses on Tract II-E.

- 4) To allow for Mobile Home Residential use to be permitted on Tract II-E. In order to create Avery Ranch Road District No.2 and to bring Tract II-E into the road district, the applicant must establish residency on the property. Therefore, the applicant would like to allow the Mobile Home Residential use on Tract II-E only for five months prior to the May or November election. The applicant will remove the required trailer within 30-days of the election date.

The staff is supportive of this amendment request because the proposed changes to the Avery Ranch PUD will not alter the overall benefits or intent of the PUD development. The amendment will permit additional uses on a tract of land located at the southwest corner of the intersection of two arterial roadways, Avery Ranch Boulevard and Parmer Lane. The proposed commercial uses for Tract II-E will provide additional retail services to the surrounding residential areas within the PUD.

The applicant's request to incorporate 14.694 acres of land into the Avery Ranch PUD on Tracts III-G and III-H will allow for additional housing opportunities and amenities (golf course) within the PUD. The property in question was intended to be part of this Planned Unit Development upon de-annexation by the City of Cedar Park.

The applicant agrees with the staff's recommendation.

#### **EXISTING ZONING AND LAND USES:**

**TRACT II-E (located at the southwestern corner of Avery Ranch Boulevard and Parmer Lane):**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	PUD (Tract II-E)	Undeveloped
<i>North</i>	PUD (Tract II-B)	Retail Shopping Center
<i>South</i>	LO, County	Undeveloped Area, Round Rock I.S.D. Athletic Complex
<i>East</i>	PUD (Tract III-F2)	Restaurant Currently Under Development (Sunset Grill)
<i>West</i>	PUD (Tract II-D)	Undeveloped

**TRACT III-G (located along Parmer Lane at Avery Club Drive):**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	PUD (III-G)	Single Family Residences, Golf Course
<i>North</i>	County	Floodplain
<i>South</i>	PUD (III-A, III-B)	Retail (Walgreen's Drug Store), Single-Family Residences
<i>East</i>	PUD (III-K)	Golf Course, Club House
<i>West</i>	PUD (II-G, Tract II-B)	Undeveloped, Retail Shopping Center, Condominiums

**TRACT III-H (located along Parmer Lane at Avery Club Drive):**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	PUD (III-H)	Golf Course
<i>North</i>	PUD (III-G)	Golf Course
<i>South</i>	PUD (III-G)	Single-Family Residences
<i>East</i>	PUD (III-K)	Golf Course, Club House
<i>West</i>	PUD (II-G, Tract II-B)	Undeveloped, Retail Shopping Center, Condominiums

**AREA STUDY:** N/A**TIA:** Not required**WATERSHED:** Brushy Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**HILL COUNTRY ROADWAY:** Yes**NEIGHBORHOOD ORGANIZATIONS:**

485 - Riviera Springs Community Development Association

604 - Davis Spring HOA

985 - Davis Springs HOA

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-99-0001.04	PUD to PUD	9/06/05: Approved staff's recommendation of PUD zoning by consent (9-0)	
C814-99-0001.03	PUD to PUD	9/21/04: Approved staff's recommendation of PUD amendment by consent (7-0, K. Jackson-off dias, J. Gohil-absent)	5/12/05: Postponed indefinitely by the applicant (7-0)
C814-99-0001.02	PUD to PUD	1/28/03: Approved staff's recommendation of PUD zoning (6-0, J. Martinez, K. Jackson-off dias)	2/27/03: Granted PUD zoning as rec. by the ZAP Commission on 1 <sup>st</sup> reading (6-0, Goodman-off dias)  4/24/03: Approved PUD (6-0, Garcia-off dias); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C814-99-0001.01	PUD to PUD	6/18/02: Posponed to 7/16/02 by the applicant (8-0, A. Adams-absent)  7/16/02: Postponed to 7/30/02 by the staff for re-notification purposes (6-0, M. Casias/ D. Castaneda/ K. Jackson-absent)  7/30/02: Postponed to 9/10/02 by the applicant and neighborhood (6-0, V. Aldridge-absent)  9/10/02: Approved staff's recommendation for PUD	10/10/02: Granted PUD on 1st reading (7-0)  1/30/03: Approved PUD amendment (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

		zoning; by consent (6-0, D. Castaneda-absent)	
C14-96-0085	SF-2 to SF-4A	Approved staff rec. of SF-4A (7-0)	9/5/96: Approved SF-4A (7-0); all 3 readings
C14-95-0093	SF-2 to IP	Approved LO (1" 100') & IP-PDA (Remainder) (6-0)	Approved LO & IP-PDA (6-0); 1" reading only  Approved LO (1" 100') & IP-PDA subject to conditions (5-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

**RELATED CASES:** C814-99-0001 (Avery Ranch PUD)

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION
Avery Ranch Boulevard	130'	Varies	Arterial
Parmer Lane	250'	100'	Arterial
Avery Reserve Drive	50'	30'	Local ~ Private

**CITY COUNCIL DATE:** May 18, 2006

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

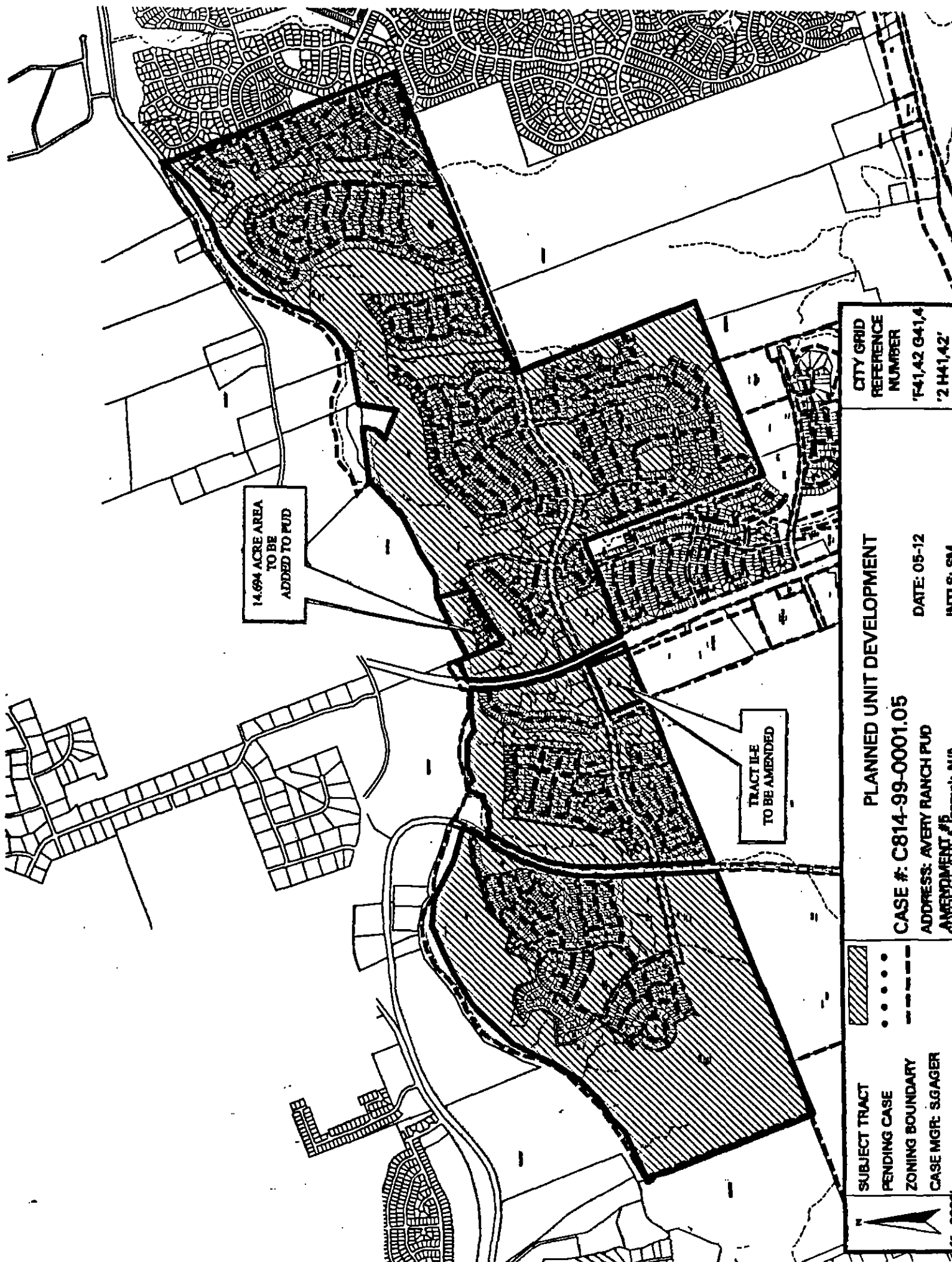
3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057

[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)



14.694 ACRE AREA  
TO BE  
ADDED TO PUD

TRACT I/E  
TO BE AMENDED

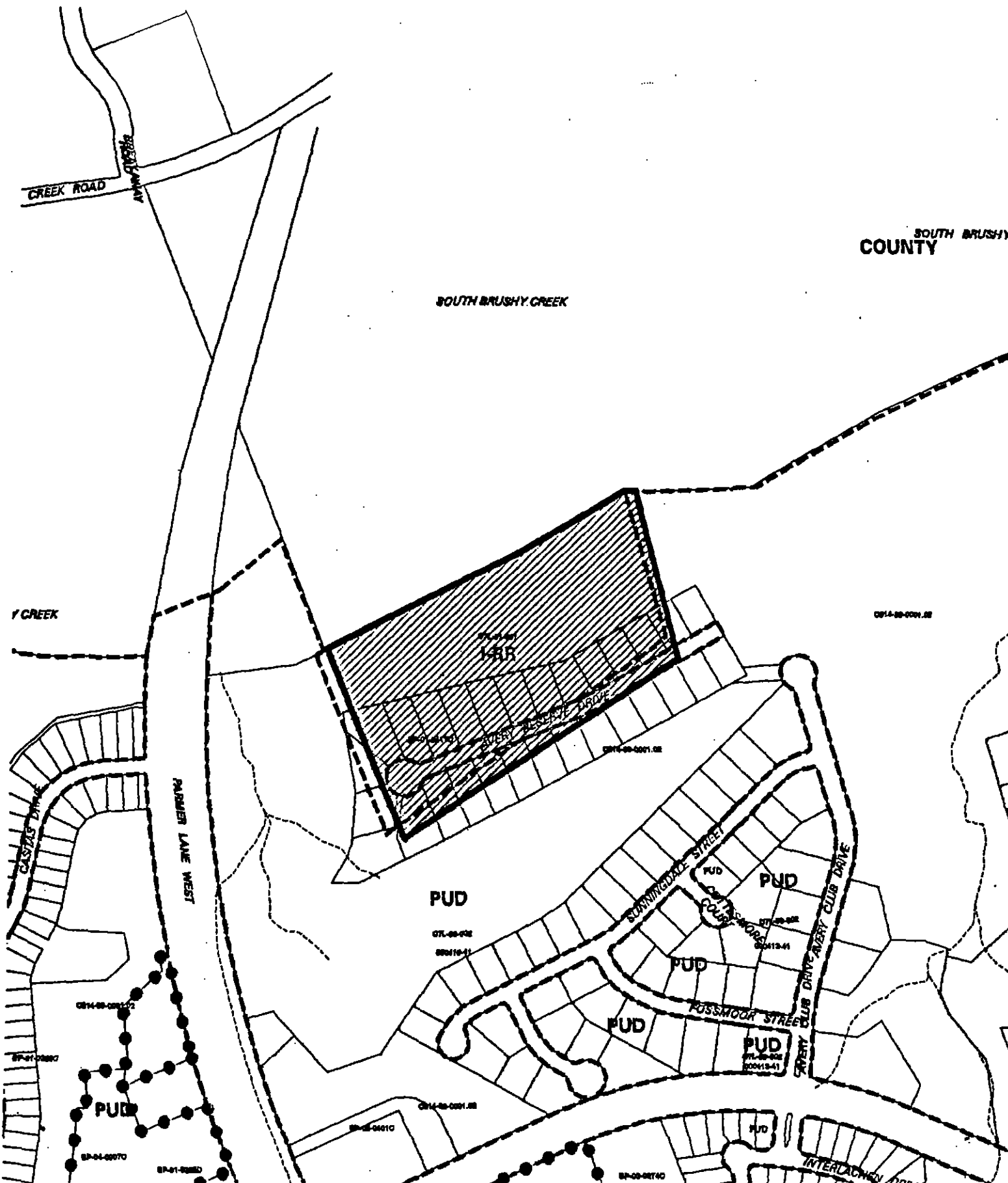
 SUBJECT TRACT  PENDING CASE  ZONING BOUNDARY CASE MGR: SGAGER	<b>PLANNED UNIT DEVELOPMENT</b>		CITY GRID REFERENCE NUMBER 'E41,42 G41,4 '2 H41,42'
	CASE #: C814-99-0001.05 ADDRESS: AVERY RANCH PUD AMENDMENT # SUBJECT AREA (Acres): N/A	DATE: 05-12 INT'L: SM	




1" = 200'

SOUTH BRUSHY  
COUNTY

SOUTH BRUSHY CREEK



 1" = 400'	<p><b>SUBJECT TRACT</b></p> <p><b>PENDING CASE</b></p> <p><b>ZONING BOUNDARY</b></p> <p><b>CASE MGR: S. SIRWAITIS</b></p> <p><b>PLANNED UNIT DEVELOPMENT</b></p> <p><b>CASE #: C814-99-0001.05</b></p> <p><b>ADDRESS: 10500 AVERY CLUB DR</b></p> <p><b>SUBJECT AREA (acres): 14.694</b></p> <p><b>DATE: 05-10</b></p> <p><b>INTLS: 8M</b></p>	<p><b>CITY GRID- REFERENCE NUMBER</b></p> <p><b>G42</b></p>
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## **STAFF RECOMMENDATION**

The staff's recommendation is to approve the proposed amendment to rezone 14.694 acres of land from I-RR to PUD to be incorporated into Tracts III-G and III-H of the Avery Ranch Planned Unit Development (PUD). In addition, the staff recommends the applicant's request to amend the Avery Ranch PUD Land Use Table to permit Village Center Residential (VCR) uses, Service Station use, Liquor Sales use (not to exceed 6,000 square feet and prohibiting Cocktail Lounge), and Mobile Home Residential use on Tract II-E of the PUD.

## **BASIS FOR RECOMMENDATION**

1. *The Planned Unit Development District (PUD) is intended for large or complex developments under unified control planned as a single contiguous project. The PUD is intended to allow single or multi-use projects within its boundaries and provide greater flexibility for development proposed within the PUD.*

The Avery Ranch PUD has a mixture of residential and commercial uses, with large open spaces/parkland areas that are connected to the Williamson County trail system to the north and utilized by residents of the PUD.

The proposed amendment to the Avery Ranch PUD will not alter the overall benefits or intent of the PUD development. The amendment will permit additional uses on a tract of land located at the southwest corner of the intersection of two arterial roadways. The additional proposed uses for Tract II-E will provide retail services to the surrounding residential areas within the PUD.

The applicant's request to incorporate 14.694 acres of land into the Avery Ranch PUD on Tracts II-G and III-H will allow for more housing opportunities and amenities (golf course) within the PUD. The property in question was intended to be part of this development when the Planned Unit Development upon de-annexation by the City of Cedar Park.

2. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The requested amendment will permit commercial/retail uses to be developed on a tract of land located at the southwestern corner of the intersection of two arterial roadways, Avery Ranch Boulevard and Parmer Lane. The Village Center Residential (VCR) uses, Service Station use, and Liquor Sales use proposed for Tract II-E will allow for additional uses to be developed to provide commercial services to the surrounding residential areas within the PUD.

## **EXISTING CONDITIONS**

### **Site Characteristics**

Tract II-E is undeveloped. There is a retail shopping center located in Tract II-B to the north, a restaurant that is currently under construction to the west (Tract III-F2), undeveloped land to the east (Tract II-D), and the Round Rock I.S.D. Athletic Complex to the south.

Tracts III-G and III-H are currently developed with single-family residences and the Avery Ranch Golf Course.



### **Impervious Cover**

The Avery Ranch PUD (Ordinance #000413-48) governs impervious cover limits for each type of development in the PUD. The overall impervious cover limit for the entire PUD shall remain 569.87 acres, and maximum impervious cover for each defined land use shall not change.

In the Water Quality Transition Zones, impervious cover is limited to 30%.

### **Environmental**

The site is located over the North Edward's Aquifer Recharge Zone. The site is in the Brushy Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.

### **Drainage Construction**

Each subdivision in the Avery ranch will be required to comply with DCM section 1.2.4.E and 1.6.7 of the Environmental Criteria Manual rules to implement on-site control for the 2, 10, 25 and 100 year flow events as required by ordinances 931209-H and 931216-R.

### **Transportation**

This site is within the area covered by State legislation (S.B. 1396), which went into effect September 1, 1995. Under this legislation, the City may not "deny, limit, delay, or condition the use of development of land...because of traffic or traffic operations that would result from the proposed use or development of the land." A traffic impact analysis is not required for any development within this area, and traffic issues may not be considered in the approval of the application. Right-of-way dedication, however, may still be required.

No additional right-of-way is needed at this time.

#### **Existing Street Characteristics:**

NAME	ROW	PAVEMENT	CLASSIFICATION	CAPITAL METRO	SIDEWALKS	BICYCLE PLAN
Avery Reserve Drive	50'	30'	Local ~ Private	No	No	No

**Water Quality**

RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

This project is located at 10500 Avery Club Drive. It is located in the Brushy Creek Watershed, which is classified as a Water Supply Suburban Watershed. Comments issued on December 6, 2005. Please clarify how compliance with ECM 1.6.0 and 1.6.8 for Water Quality and control of the 2-year storm event will be met for the additional 14.69 acres. Provide a drainage area map to clearly show conveyance of stormwater from these areas to a Water Quality control.

**Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

**Parks and Recreation**

No comment.

**Compatibility Standards**

No comment.



Attachment A

October 21, 2005

**VIA HAND DELIVERY**

Ms. Sherri Sirwaitis, Case Manager  
Development Review & Inspection Department  
City of Austin  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, TX 78701

**RE: Avery Ranch Planned Unit Development Amendment Number Five**

Dear Ms. Sirwaitis

On behalf of The Reserve at Avery Ranch, Ltd. we are submitting amendment number five to the Avery Ranch Planned Unit Development (PUD). The purpose of this amendment is to add approximately 14.69 acres of land (the "Tract") into the PUD. When the PUD was originally submitted and approved the Tract was in the City of Cedar Park. The Tract was de-annexed from the City of Cedar Park in July, 2001 and annexed into the City of Austin Full Purpose Jurisdiction in May 2002.

Portions of the Tract are in existing subdivisions (The Golf Club at Avery Ranch, and The Reserve at Avery Ranch II). The Tract is developed with a golf course and single family lots. The Tract is currently zoned Interim - Rural Residential ("I-RR"). There are 19 platted single family lots that currently have a portion or all of the lot with I-RR zoning category.

The subdivision was approved by staff with portions of the lots with the incorrect zoning. Our request is to add this acreage in the PUD and obtain PUD zoning on the Tract as was originally intended when Cedar Park de-annexed this Tract. There are existing homes and homes under construction on the single family portion of the Tract, and we are trying to get these lots into zoning compliance.

Should you have any questions regarding this submittal, please call.

Sincerely,



Theresa Canchola

Enclosure





November 30, 2005

**VIA HAND DELIVERY**

Ms. Sherri Sirwaitis, Case Manager  
City of Austin  
Development Review & Assistance Center  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, TX 78701

***RE: Avery Ranch PUD Amendment No .5 (Revised)***

Dear Sherri:

When the Avery Ranch Planned Unit Development (PUD) was approved in the late 1990s we envisioned a church at the entrance of the community. The property was sold to The Protestant Episcopal Church Council of the Diocese of Austin in 1999. The church was not able to raise the necessary funds to build a new facility on the property and recently sold the property to Robert D. Wunsch, the developer of Avery Ranch. We are proposing to develop the property with approximately 3.5 acres of retail and the remainder of the property with townhomes. Since the property is currently zoned PUD – with “GR” uses, a PUD amendment is required to allow the residential element.

We request to amend the PUD to change tract II-E to Village Center Residential category (VCR). With this designation change we are also proposing to allow service station and liquor sales use (not to exceed 6,000 square feet and prohibit cocktail lounge) on this tract which were previously excluded uses. We have had meetings with the Avery Ranch Owner's Association and they are supportive of the proposed changes.

In addition to the changes above revision five also add includes adding approximately 14.69 acres of land (the “Tract”) into the PUD. When the PUD was originally submitted and approved the Tract was in the City of Cedar Park. The Tract was de-annexed from the City of Cedar Park in July, 2001 and annexed into the City of Austin Full Purpose Jurisdiction in May 2002. The Tract is developed with a golf course and single family residences. The subdivision was approved by staff with portions of the lots with the incorrect zoning. There are existing homes and homes under construction on the single family portions of the Tract, and we are trying to get these lots into zoning compliance. This revision was submitted on October 21<sup>st</sup>

Should you have any questions regarding this submittal, please call.

Sincerely,



Theresa Canchola

Enclosure

Street Side Yard	10
Interior Side Yard	5
Rear Yard	10
Maximum Impervious Cover	55% Net Site Area

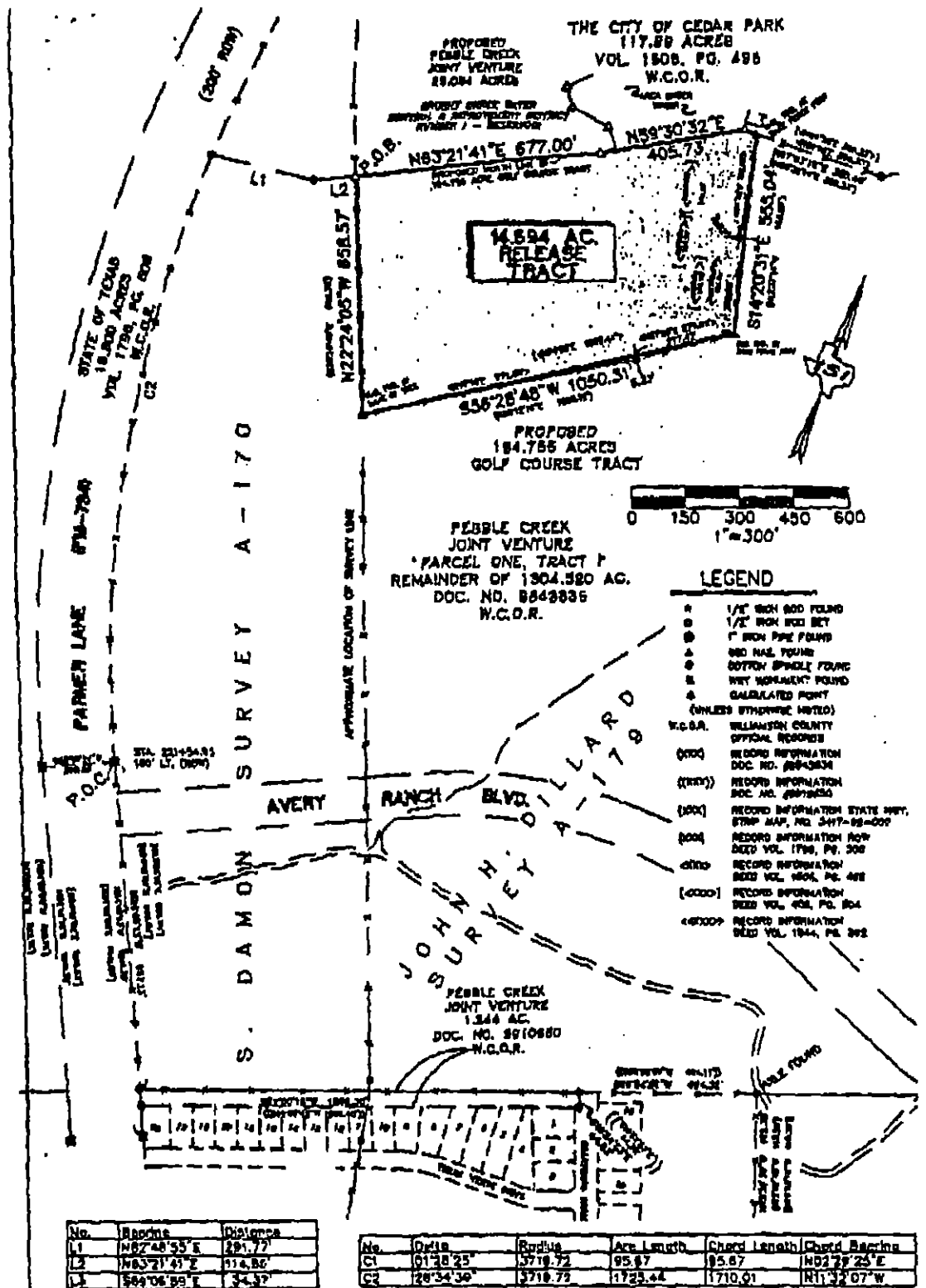
\*for Single Family detached, minimum lot width is 40 ft.

4. a. Parcel II-B, Village Center Residential (VCR) District

b. Definition - The Village Center Residential (VCR) District is a single designation for a mixed use district in which the gross land areas are a minimum of 70% residential uses and allows up to 30% of the gross land area to be used for non-residential uses such as office, retail and services allowed in the PUD's LR (Neighborhood Commercial) District and GR (Community Commercial). The specific location of the residential and non-residential uses shall be identified during subdivision; however, no additional zoning designations are required. The residential uses in this district include all of the uses allowed in the PUD's MDR District and multi-family residential/retirement housing, up to 15 units per acre, similar to the City's MF-2 zoning district. There is no minimum or maximum distribution between MDR residential and multi-family residential within the VCR District except that the gross sum of all residential units on all PARCELS within a single TRACT shall not exceed the gross sum for residential units established for that TRACT. Non-residential uses shall not count against the total residential units established for a tract. Lots designated for multi-family uses or non-residential uses shall require site plan approval prior to issuance of a building permit.

b. Standards

Minimum Lot size - MF	8000 sq. ft.
Minimum Lot size - MDR	3600 sq. ft.
Minimum Lot size - Others	5750 sq. ft.
Minimum Lot width	50 ft.
Maximum Height	40
Minimum Setbacks	
Front Yard	25
Street Side Yard	15
Interior Side Yard	5
Rear Yard	10
Maximum Building coverage	70%
Maximum Impervious Cover	80% Net Site Area



**INTERSTATE SURVEYING, INC.**  
Professional Surveyors  
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# **SKETCH TO ACCOMPANY DESCRIPTION**

OF A PROPOSED 14594 AC RELEASE TRACT  
OUT OF A PORTION OF THAT 117.59 AC TRACT CONVEYED TO  
THE CITY OF CEDAR PARK BY DEED IN VOLUME 1508, PAGE 498  
OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS

**DEVELOPERS OF  
AVERY RANCH, LTD.**

DATE: 04/18/01 DISK: P263\21320 FN No: 613 FILE: 21320EX3.DWG DRAWN BY: L.R.S. PROJECT No: 213-20.08

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C814-99-0001.05

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

March 21, 2006 Zoning and Platting Commission

Seward C. Worley  
Your Name (please print)

16205 Castletroy Dr. Austin, TX 78717  
Your address(es) affected by this application

[Signature]  
Signature

13 MAR 06  
Date

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

Comments: This is not the kind of development we want near us. It also evinces political undertones in its timing, we're sick of that quite frankly.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810



## PUBLIC HEARING INFORMATION

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Case Number: C814-99-0001.05

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

March 21, 2006 Zoning and Platting Commission

Debbie Head

Your Name (please print)

10804 North Canon Hills Trail

Your address(es) affected by this application

Debbie Head

Signature

Date

3-12-06

Comments: We do not need increased

development. The infrastructure will not support further development.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

March 21, 2006 Zoning and Platting Commission

ELIZABETH K JOSEPH

Your Name (please print)

11309 Los Comancheros Rd

Your address(es) affected by this application

Signature

Date

3/15/2006

Comments:

No Liquor Sale  
was held at the site

Those who want to drink  
can have it at  
home or go to places  
which is always better  
beardental (great)

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Case Number: C814-99-0001.05

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

March 21, 2006 Zoning and Platting Commission

George H. Pickles, Sr.  
Your Name (please print)



11200 Fletcher Hall Ln, Austin 78747  
Your address(es) affected by this application

George H. Pickles, Sr. 3/20/06  
Signature Date

Comments:

No need for another gas station  
see figure sales  
The Mobile Home deal is  
a Can Gas.

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City of Austin  
Neighborhood Planning and Zoning Department  
Sherri Sirwaitis  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C814-99-0001.05

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

March 21, 2006 Zoning and Platting Commission

Aldemar Villamarin  
Your Name (please print)



11616 Misty White Dr Austin 78717  
Your address(es) affected by this application

2/17 3/20/06  
Signature Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin  
Neighborhood Planning and Zoning Department  
Sherri Sirwaitis  
P. O. Box 1088  
Austin, TX 78767-8810

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**Case Number:** C814-99-0001.05

**Contact:** Sherri Sirwaitis, (512) 974-3057

**Public Hearing:**

March 21, 2006 Zoning and Platting Commission

Gerald Russell

Your Name (please print)

14013 Ballycastle Trail Austin TX 78717

Your address(es) affected by this application

4-4-06

Date

Signature

Comments:

☐ I am in favor  
☒ I object

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE AMENDING ORDINANCE NO. 000413-48 TO INCREASE BY  
2 14.78 ACRES THE BOUNDARIES OF THE PROJECT KNOWN AS AVERY  
3 RANCH PLANNED UNIT DEVELOPMENT PROJECT, AND REZONING THE  
4 14.78 ACRES FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO  
5 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT; TO MODIFY THE LAND  
6 USE PLAN, REZONING AND CHANGING THE ZONING MAP FROM  
7 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT TO PLANNED UNIT  
8 DEVELOPMENT (PUD) DISTRICT FOR THE PROPERTY LOCALLY KNOWN  
9 AS AVERY RANCH BOULEVARD AT PARMER LANE AND 10500 AVERY  
10 CLUB DRIVE.

11  
12 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

13  
14 PART 1. Avery Ranch Planned Unit Development ("Avery Ranch PUD") is comprised of  
15 approximately 1,629 acres of land located at Parmer Lane and Brushy Creek in Williamson  
16 County and more particularly described by metes and bounds in the land use plan  
17 incorporated in ordinance No. 000413-48.

18  
19 PART 2. Avery Ranch PUD was approved April 13, 2000 under Ordinance No. 000413-  
20 48 and was amended under Ordinances No. 030130-27, No. 030424-22, No. 20060112-  
21 Z020, and No. 20060112-045.

22  
23 PART 3. The zoning map established by Section 25-2-191 of the City Code is amended to  
24 change the base district from interim rural residence (I-RR) district to planned unit  
25 development (PUD) district on the property described in Zoning Case No. C814-99-  
26 0001.05, on file at the Watershed Protection and Development Review Department, as  
27 follows:

28  
29 Tracts No. III-G and III-H (partial): A 14.78 acre tract of land, more or less, out of  
30 the S. Damon Survey, Abstract No. 170 in Williamson County, the tract of land  
31 being more particularly described by metes and bounds in Exhibit "A"  
32 incorporated into this ordinance (the "Property"),

33  
34 locally known as the property at Avery Ranch Boulevard at Parmer Lane and 10500 Avery  
35 Club Drive, in the City of Austin, Williamson County, Texas, and generally identified in  
36 the map attached as Exhibit "B".  
37

1 **PART 4.** Exhibit D identified as the Land Use Table on the Avery Ranch Land Use Plan  
2 ("Exhibit C"), under Ordinance No. 000413-48 is amended:

- 3  
4 A. to modify the land use plan to allow service station use and liquor sales use as  
5 permitted uses on Tract II-E as shown on the attached Exhibit "C". A liquor  
6 sales use may not exceed a 6,000 square foot building footprint on the tract; and  
7  
8 B. to modify the land use plan to prohibit cocktail lounge use and mobile home  
9 residential use on Tract II-E as shown on the attached Exhibit "C".  
10

11 **PART 5.** The attached Exhibits "A", "B" and "C", are incorporated into this ordinance in  
12 their entirety as though set forth fully in the text of this ordinance.  
13

14 **PART 6.** In all other respects the terms and conditions of Ordinance No. 000413-48, as  
15 amended, remain in effect.  
16

17 **PART 7.** This ordinance takes effect on \_\_\_\_\_, 2006.  
18

19  
20 **PASSED AND APPROVED**

21  
22 \_\_\_\_\_, 2006

§  
§  
§

\_\_\_\_\_  
25 Will Wynn  
26 Mayor  
27

28  
29 **APPROVED:** \_\_\_\_\_

**ATTEST:** \_\_\_\_\_

30 David Allan Smith  
31 City Attorney

Shirley A. Gentry  
City Clerk

14.78 ACRES  
THE PROTESTANT EPISCOPAL CHURCH COUNCIL  
OF THE DIOCESE OF AUSTIN

FN NO 976  
September 12, 2005  
JOB NO. 213-26.50

**DESCRIPTION**

**OF A 14.78 ACRE TRACT OR PARCEL OF LAND OUT OF AND PART OF THE SAMUEL DAMON SURVEY, ABSTRACT NO. 170, SITUATED IN WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION A 15.00 ACRE TRACT CONVEYED TO THE PROTESTANT EPISCOPAL CHURCH COUNCIL OF THE DIOCESE OF AUSTIN, RECORDED IN DOCUMENT NO. 199929623 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 14.78 ACRES MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING**, at a 1/2" iron rod with aluminium surveyor's cap found for the northeast corner of a 46.37 acre tract conveyed to the Round Rock Independent School District in Document No. 2002001208 of the Official Public Records of Williamson County, Texas and the southeast corner of said 15.00 acre tract, same being in the west line of Farmer Lane (FM 734) for the southeast corner hereof;

**THENCE**, leaving the west line of Farmer Lane and along the north line of said 46.37 acre tract and the south line of said 15.00 acre tract the following five (5) courses and distances:

- 1) S68°21'53"W, a distance of 33.79 feet to a 60d nail found for an angle point hereof;
- 2) S68°44'10"W, a distance of 389.73 feet to a 60d nail found for an angle point hereof;
- 3) S67°48'55"W, a distance of 144.45 feet to a 60d nail found for an angle point hereof;
- 4) S66°55'31"W, a distance of 81.39 feet to a 60d nail found for an angle point hereof; and
- 5) S67°23'43"W, a distance of 220.48 feet to a 1/2 inch iron rod found for the northwest corner of said 46.37 acre tract and the northwest corner of a 335 acre tract conveyed to William A. Savage, Jr., recorded in Document No. 9666531 of the Official Records of Williamson County, Texas, for an angle point hereof;

**THENCE**, leaving the north line of said 46.37 acre tract, along the north line of said 335 acre tract and the south line of said 15.00 acre tract, S68°47'54"W, a distance of 82.93 feet to a 1/2 inch iron rod with plastic surveyor's cap found at the southeast corner of Avery Ranch West, Phase One, recorded in Document No. 2000060452 of the Official Public Records of Williamson County, Texas, and the southwest corner of said 15.00 acre tract for the southwest corner hereof;

**THENCE**, leaving the north line of said 335 acre tract and along the east line of said Avery Ranch West, Phase One and the west line of said 15.00 acre tract, N21°11'21"W, a distance of 694.04 feet to a 1/2 inch iron rod found at the southwest corner of a tract of land conveyed to Williamson County, Texas, recorded in Document No. 2000025083 of the Official Public Records of Williamson County, Texas, a 1/2 inch iron rod with plastic surveyor's cap found bears N20°42'14"W, a distance 10.42 feet, for the northwest corner hereof;

**THENCE**, leaving the east line of said Avery Ranch West, Phase One, along the south line of

**Exhibit "A"**

said Williamson County Tract, N68°09'05"E, a distance of 908.74 feet to a 1/2 inch iron rod with plastic surveyor's cap (INTERSTATE SURVEYING, INC.) set in the west line of Farmer Lane and the east line of said 15.00 acre tract, same being at the southeast corner of said Williamson County tract for the northeast corner hereof,


THENCE, leaving the south line of said Williamson County tract along the east line of said 15.00 acre tract and the west line of Farmer Lane, S24°49'08"E, a distance of 694.47 feet to the POINT OF BEGINNING, containing 14.78 acres of land, more or less, within these metes and bounds.

This fieldnote description has been prepared in conjunction with a digital survey drawing identified as Interstate Surveying, Inc., drawing file "21326T12.dwg".

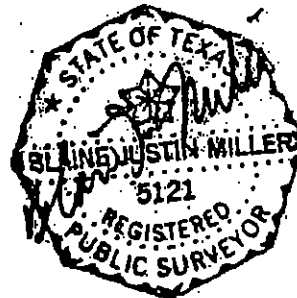
STATE OF TEXAS                    §  
    KNOW ALL BY THESE PRESENTS    §  
COUNTY OF WILLIAMSON        §

THAT I, BLAINE J. MILLER, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

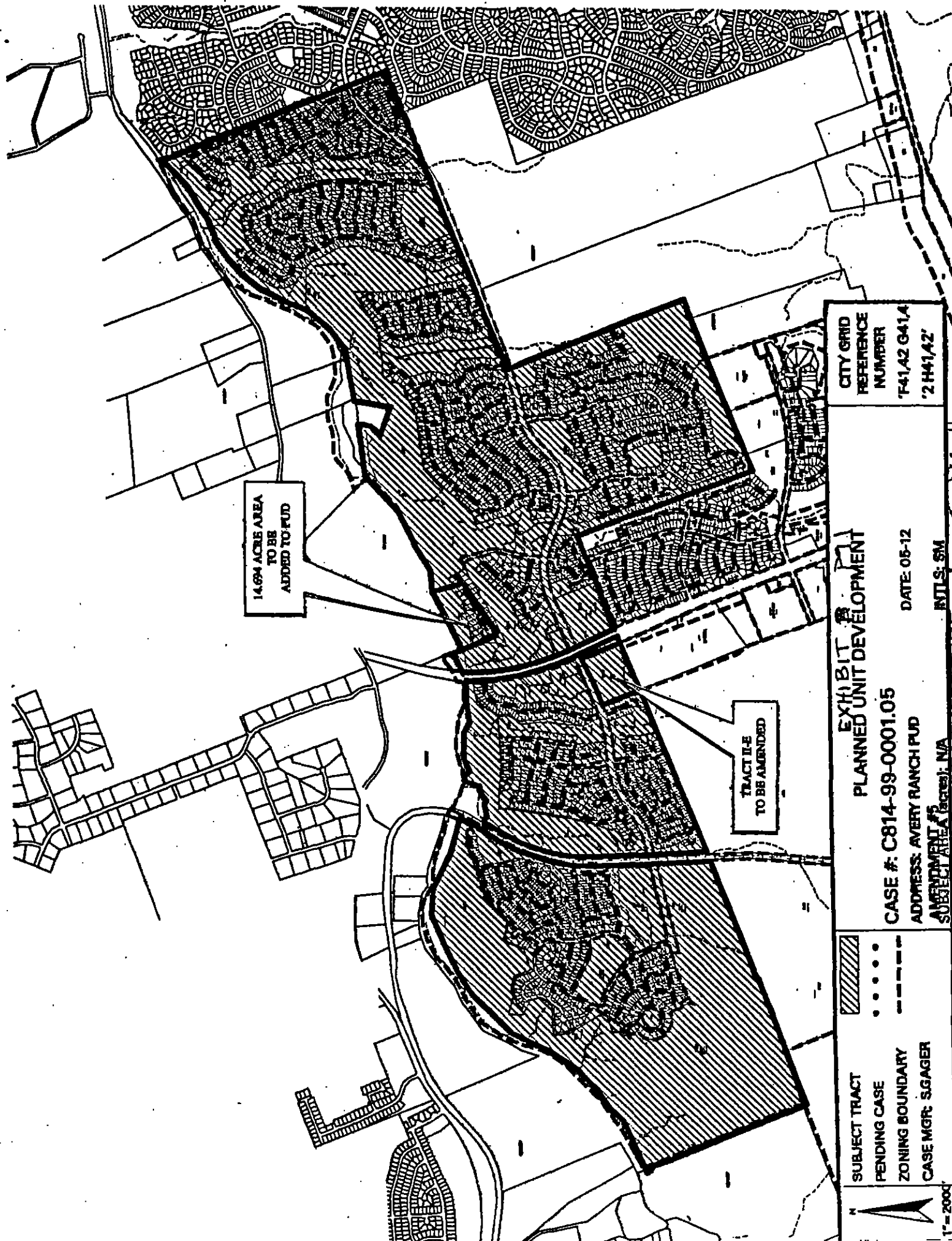
WITNESS MY HAND AND SEAL AT AUSTIN, WILLIAMSON COUNTY, TEXAS THIS 12<sup>th</sup> DAY OF SEPTEMBER, 2005 A.D.

  
\_\_\_\_\_  
BLAINE J. MILLER, R.P.L.S.  
STATE OF TEXAS NO: 5121  
INTERSTATE SURVEYING, INC.  
13740 N. HWY 183, BLDG. L-4  
Austin, Texas 78750

(FN 951-1000/FN-976)



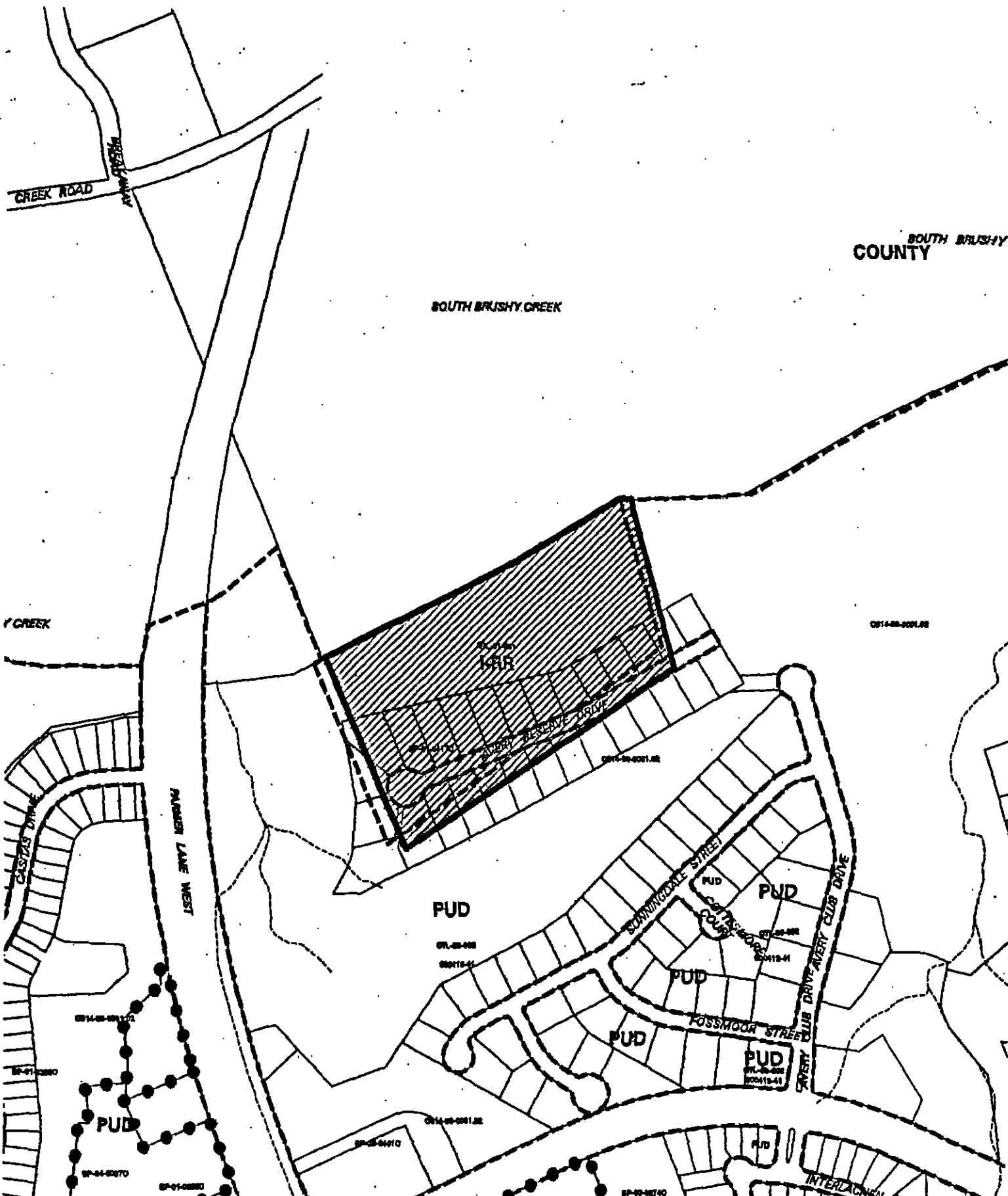




14.694 ACRE AREA  
TO BE  
ADDED TO FUD

TRACT BE  
TO BE AMENDED

<b>EXHIBIT B</b>	
<b>PLANNED UNIT DEVELOPMENT</b>	
<b>CITY GRID REFERENCE NUMBER</b>	F41A2 G41A "2 H41A2"
<b>CASE #:</b>	C814-99-0001.05
<b>ADDRESS:</b>	AVERY RANCH FUD
<b>AMENDMENT #</b>	1
<b>SUBJECT AREA (Acres):</b>	N/A
<b>DATE:</b>	05-12
<b>INTLS:</b>	SM
<b>SUBJECT TRACT</b>	
<b>PENDING CASE</b>	
<b>ZONING BOUNDARY</b>	
<b>CASE MGR:</b>	SGAGER



SOUTH BRUSHY  
COUNTY

SOUTH BRUSHY CREEK

Y CREEK

C814-99-0001.05

PUD

C814-99-0001.05  
C80115-41

PUD


PUD

PUD

PUD  
C814-99-0001.05  
C80115-41

PUD

PUD

 1" = 400'	SUBJECT TRACT	PLANNED UNIT DEVELOPMENT EXHIBIT B		CITY GRID REFERENCE NUMBER  G42
	PENDING CASE	P72		
	ZONING BOUNDARY	DATE: 08-10		
	CASE MGR: S. SIRWAITIS	INTLS: BM		
CASE #: C814-99-0001.05				
ADDRESS: 10500 AVERY CLUB DR				
SUBJECT AREA (acres): 14.694				